



Certificate of Public Convenience and  
Necessity Application

Sussex County

**Covered Bridge Trails**



A Middlesex Water Company Affiliate

June 8, 2017

Mr. Kevin Neilson  
Public Service Commission  
861 Silver Lake Blvd.  
Suite 100  
Dover, DE 19904

Re: CPCN Application – Covered Bridge Trails

Dear Mr. Neilson;

Enclosed you will find the CPCN application for Covered Bridge Trails located in Sussex County, Delaware.

One original copy the application has been included. If I can be of further assistance upon your review, please do not hesitate to contact me at 302-747-1308.

Respectfully,

A handwritten signature in black ink, appearing to read "J. C. Cuccinello", is written over a light blue horizontal line.

Joseph C. Cuccinello  
CPCN Coordinator  
Tidewater Utilities, Inc.

cc: Mr. Grover P. Ingle, SFMO w/enclosures  
Mr. Ed Hallock, DPH w/enclosures  
Mr. Stewart Lovell, DNREC w/enclosures  
Mr. John Ashman, Sussex County w/enclosures

*"Southern Delaware's Premier Water Company Since 1964"*

**Tidewater Utilities, Inc.** 1100 South Little Creek Road, Dover, DE 19901 [www.tuiwater.com](http://www.tuiwater.com)  
(800) 523-7224 (302) 734-7500 Tel. (302) 734-9297 Fax

**APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY  
REQUIRED TO BEGIN OR EXPAND THE BUSINESS  
OF A PUBLIC WATER UTILITY**

**BEFORE THE PUBLIC SERVICE COMMISSION**

Application Fee                \$300 for filing each extension to a CPCN  
                                      \$750 for filing each original application for new water utility 26 Del. C. §114(a)

This form of application must be filed for each new and expanding water system pursuant to 26 Del. C. §203C.

**WATER UTILITIES:                    COVERED BRIDGE TRAILS**

1. Basis for application:

- \_\_\_\_\_ a.        Water in the proposed service area does not meet the Regulations Governing Public Drinking Water Systems of the State Board of Health for human consumption; {26 Del. C., §203C (d)(2)(a)}; or
- \_\_\_\_\_ b.        Water supply in the proposed service area is insufficient to meet the projected demand; 26 Del. C., §203C (d)(2)(b)}; or
- \_\_\_\_\_ c.        The applicant is in possession of a signed service agreement with the developer of a proposed subdivision or development, which subdivision or development has been duly approved by the respective county government; {26 Del. C., §203C (e)(1)(a)}; or
- X   d.        The applicant is in possession of a petition signed by all of the parcel owners of the proposed territory to be served; {26 Del. C., §203C (e)(1)(b)}; or **Exhibit A**
- \_\_\_\_\_ e.        The applicant is in possession of a duly certified copy of a resolution from the governing body of a county or municipality requesting the applicant to provide service to the proposed territory to be served; {26 Del. C., §203C (e)(1)(c)}.

2. To obtain a Certificate of Public Convenience and Necessity ("CPCN") to provide adequate water service to customers and meet the Regulations Governing Drinking Water Standards of the State Board of Health for human consumption {26 Del. C., §203C(a)}.

3. Tidewater Utilities, Inc. requests an informal fact finding procedure during review of application.

4.                (a.)        Full legal name and address of Applicant:  
                         Tidewater Utilities, Inc.  
                         1100 South Little Creek Road  
                         Dover, Delaware 19901
- (b.)        Full name of the Utility's designated representative:  
                         Joseph C. Cuccinello  
                         Kirsten Higgins
- (c.)        Phone no: 302-734-7500 X1014 or X1024
- (d.)        Fax no: 302-734-9295
- (e.)        Email address: [jcuccinello@Tuiwater.com](mailto:jcuccinello@Tuiwater.com) or [khiggins@tuiwater.com](mailto:khiggins@tuiwater.com)

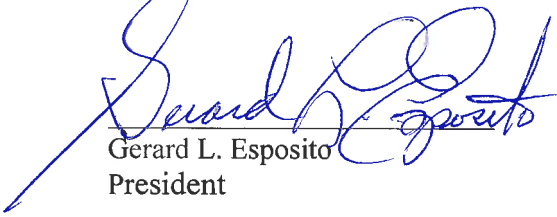
5. Supporting documentation required by 26 Del. C. §203C(e)(1), including evidence that all landowners of the proposed territory have been notified of application:        **Exhibit B**

6. A complete list of county tax map parcel number(s) for the area covered by the application:    **Exhibit C**

7. A complete list of county tax map parcel number(s) with corresponding names and addresses of property owners and a copy of the tax map(s) for the area: **Exhibit C**
8. The Applicant hereby certifies that the extension will satisfy the provisions of 26 Del. C. §403C, including:
  - (a.) The Applicant is currently furnishing water to its present customers in Delaware in such a fashion that water pressure at every house supplies is at least 25 psi at all times at the service connection.
  - (b.) The Applicant shall furnish water to the house or separate location of each new customer in the Delaware at a pressure of at least 25 psi at each location or house at all times at the connection while continuing also to supply each old customer at a pressure of at least 25 psi at each house at all times at the service connection.
  - (c.) The Applicant is currently not subject to a finding by the appropriate federal or state regulatory authority that we have materially failed to comply with applicable safe drinking water or water quality standards; and
  - (d.) The Applicant is currently not subject to any Order issued by the Commission finding that Tidewater Utilities, Inc. has materially failed to provide adequate or proper safe water services to existing customers.
9. Copies of petitions signed by landowners showing all of the parcel owners of the proposed territory to be served agree with the filing of a CPCN to permit Applicant to provide them with public water. **Exhibit A**
10. Plan of service:
  - (a.) The application includes five (5) parcels located on north side of Coastal Highway in Sussex County, Delaware and identified by County Tax Parcel Numbers: 335-11.00-55.00, 335-11.00-56.00, 335-11.00-59.00, 335-11.00-59.01 and 335-11.00-60.00.
  - (b.) This service territory will be served water via an off-site water main extension from Tidewater's existing 10-inch water main located at the intersection of Coastal Highway and Tulip Drive. Tidewater anticipates water service will be available within 30 days of receiving approval.
  - (c.) A map showing the location of the parcel is provided in **Exhibit C**.
11. (a.) A copy of the application must be sent to State Fire Marshall, Public Health Department, Department of Natural Resources and County Engineering/Utility.
  - 1.) The current status of such application is: **Sent**
  - (b.) The Applicant provides the following additional information with this application;
    - 1.) A corporate history including dates of incorporation, subsequent acquisitions and/or mergers, **On PSC File**
    - 2.) A chart, which depicts the inter-company relationships, **On PSC File**
    - 3.) A map identifying all areas, including all towns, cities, counties and other governments subdivisions to which service is already provided, **On PSC File**
    - 4.) All copies of Applicant's annual reports to stockholders and that of its subsidiaries, and parent for the last two years, **On PSC File**

- 5.) Applicant's audited financial statements, 10K's and all proxy material for the last two years, **On PSC File**
- 6.) Any additional information required by PSC Staff will be made available on request.

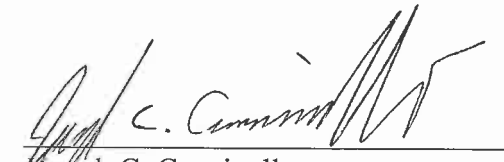
Respectfully submitted,



Gerard L. Esposito  
President

## **Certification of Landowner Information Accuracy**

By submitting this application, Tidewater Utilities, Inc. hereby certifies that we have reviewed the appropriate tax or land record documents; and that according to those documents, the landowners identified in the parcel lists are the landowners of record and that the petitions contained in this application have been signed by the landowners of record.



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Joseph C. Cuccinello  
CPCN Coordinator

**EXHIBIT**

**A**

**PETITION FOR INCLUSION IN TIDEWATER UTILITIES, INC.  
WATER SERVICE TERRITORY**

In accordance with 26 Delaware Code 203-C., Covered Bridge Trails, LLC, the undersigned, as the recorded property owner according to current tax records for the following property/properties, requests to be included in the water service territory of Tidewater Utilities, Inc., and hereby represents that Preston Schell (name of signor), as Managing Member (title), of Covered Bridge Trails, LLC is authorized to execute this petition on behalf of the company. Covered Bridge Trails, LLC understands that all of the property owners must sign this petition in order for Tidewater Utilities, Inc to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide water service to the following property/properties:

Tax Parcel Number(s)      335-11.00-55.00      335-11.00-56.00      335-11.00-59.00  
335-11.00-59.01

Property Owner:                      Covered Bridge Trails, LLC

Mailing Address:                      20184 Phillips Street  
Rehoboth Beach, DE 19971

Physical Property Address:      Near Penn Central Railroad

I UNDERSTAND THAT BY SIGNING THIS PETITION MY PROPERTY MAY HAVE TO REMAIN IN TIDEWATER UTILITIES, INC. SERVICE TERRITORY PERMANENTLY. I ALSO UNDERSTAND THAT IT MAY AFFECT MY ABILITY TO OBTAIN A PERMIT FOR A NEW WELL. IF YOU HAVE ANY QUESTIONS, COMMENT, OR CONCERNS, PLEASE CONTACT THE PUBLIC SERVICE COMMISSION AT (302) 736-7500 (in Delaware, call 800-282-8574).

By: P. Schell

Print Name: Preston Schell

Title: Managing Member

Dated: April, 21 2017

Phone #: 302-227-3573

Email Address: preston@oacompanies.com

I Preston Schell (print name) am the Managing Member (insert title) of Covered Bridge Trails, LLC, the party named above. Preston Schell (insert name of signer above) is the Managing Member (title) of the Covered Bridge Trails, LLC and has signed this petition in such capacity as the act and deed of the company.

Signed by: P. Schell

Title: Managing Member

Contact Tidewater Utilities, Inc. at 877-720-9272 ext. 1014 with any questions related to this petition.



**LIMITED LIABILITY AGREEMENT**  
**OF**  
**COVERED BRIDGE TRAILS, LLC**

This Limited Liability Agreement of **COVERED BRIDGE TRAILS, LLC** (this "Agreement") is entered into by **Preston A. Schell and Joseph M. Schell** effective as of September 29, 2016, and prior to admission of one or more additional members to **COVERED BRIDGE TRAILS, LLC** (the "Company"), all references to "Members" shall refer solely to **Preston A. Schell and Joseph M. Schell**.

The Members hereby form a limited liability company pursuant to and in accordance with the Delaware Limited Liability Company Act (6 Del. C. §§ 18-101, et seq.) (said Act, as may be amended from time to time, and any successor thereto, is hereinafter referred to as the "Act"), and agrees, as follows:

1. **Name.** The name of the limited liability company governed by this Agreement is **COVERED BRIDGE TRAILS, LLC**.
2. **Purpose.** The purpose of the Company is to engage in any lawful act or activity and to exercise any powers permitted to limited liability companies organized under the laws of the State of Delaware.
3. **Certificates.** By execution of this Agreement, the Member ratifies and confirms the action of Preston A. Schell as its duly authorized agent and an "authorized person" within the meaning of the Act in connection with the filing of a Certificate of Formation for the Company on September 29, 2016, pursuant to the Act. Upon the filing of the Certificate of Formation with the Secretary of State, the powers of Preston A. Schell as "authorized person" ceased and the Manager thereupon became, and shall continue as the, designated "authorized person" within the meaning of the Act. The Manager shall execute, deliver and file any other certificates (and any amendments and/or restatements thereof) necessary for the Company to qualify to do business in any jurisdiction in which the Company may wish to conduct business. The existence of the Company as a separate legal entity shall continue until cancellation of the Certificate of Formation as provided in the Act.
4. **Registered Office and Registered Agent.** The registered office of the Company in the State of Delaware and the registered agent of the Company is as set forth in the Certificate of Formation of the Company filed in the Office of the Secretary of State of the State of Delaware.
5. **Management.** The business and affairs of the Company shall be under the exclusive management and control of the Members, with all decisions being decided by a majority vote of the percentage interests of the

Members of the Company. The Members hereby authorizes **Preston A. Schell** (hereinafter the "Manager") to manage the day-to-day business affairs of the Company. The Manager is hereby authorized and directed to take any such action and to engage in any and all activities on behalf and in the name of the Company as he, in his sole discretion, deems necessary, incidental, or advisable to carry out the purposes of the Company as set forth in section 2 above.

6. **Term.** The Company shall be dissolved and its affairs shall be wound up upon the earlier of (i) the date on which the Members of the Company consent in writing to dissolve the Company, or (ii) the date on which the Company may be dissolved by operation of law or judicial decree.
7. **Capital Contribution.** The Members of the Company have contributed the amounts, property and/or interests as provided in the books and records of the Company.
8. **Allocations of Profit and Losses.** If capital accounts are established for the Members, the Company's profits and losses shall be allocated in proportion to the capital account balances of the Members of the Company. Otherwise, all profits and losses shall be allocated as agreed by the Members in accordance with their business plan.
9. **Admission of Additional Members.** One or more additional Members may be admitted only with the written consent of a majority of the Members (determined by percentage interest). Any such person or entity shall be admitted as an additional Member upon the execution and delivery to the Members by such person or entity of a counterpart of this Agreement and such other documents as the Members may deem necessary or desirable to evidence such person's agreement to be bound by all of the terms and provisions of this Agreement.
10. **Limitation of Member's and Manager's Liability.** A Member or Manager shall not be liable to any Member or to the Company by reason of any act or omission to act in connection with the Company business or with respect to any obligation or duty imposed upon the Member or Manager under this Agreement, except in the case of gross negligence or willful misconduct.
11. **Indemnification.** The Company shall indemnify each Member or Manager against judgments, fines, amounts paid in settlement, and expenses (including all attorneys' fees) reasonably incurred by a Member or Manager in any civil, criminal or investigative proceeding in which a Member or Manager is involved or threatened to be involved by reason of being a Member in or Manager of the Company, provided that the Member or Manager has acted (or failed to act) in good faith, within what is reasonably believed to be the scope of his or her authority, and for a purpose which he or she reasonably believed to be the best interests of the

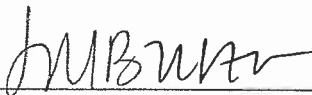
Company. To the extent that a Member or Manager is successful on the merits or otherwise in defense of any such proceeding or in defense of any claim or matter therein, such Member or Manager shall be deemed to have acted in good faith and in a manner such Member or Manager believed to be in the best interests of the Company. The indemnification provided hereunder shall not be deemed exclusive of any other rights to which those indemnified may be entitled under any applicable statute, agreement, vote of the Members, or otherwise.

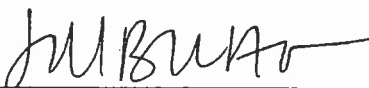
12. **Governing Law.** This Agreement and the rights of the parties hereunder shall be governed by and interpreted in accordance with the laws of the State of Delaware, and all rights and remedies shall be governed by such laws without regard to principles of conflicts of laws.

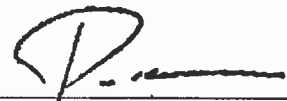
IN WITNESS WHEREOF, the undersigned, intending to be bound hereby, have duly executed this Agreement as of the date first above written.

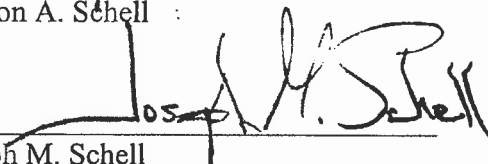
**MEMBERS:**

**COVERED BRIDGE TRAILS, LLC**

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Witness

By:   
\_\_\_\_\_  
Preston A. Schell

By:   
\_\_\_\_\_  
Joseph M. Schell

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## Map Search

## Sussex County, Delaware - Zoning and Sales Information

### PROPERTY DETAILS

- [General Information](#)
- [Appraisal & Assessment Info](#)
- [Sales Info](#)
- [Map of Property](#)

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## General Information

**District-Map-Parcel:**

3-35 11.00 59.01

**Owner(s) Names:**

COVERED BRIDGE , TRAILS LLC

**Property Legal Description:**

N/S RT 1

2145.50' W/TULIP DR

**Billing Address:**

20184 PHILLIPS STREET

REHOBOTH BEACH , DE 19971

**Land Use:**

Miscellaneous

**Zoning:**

Medium Residential

**Town/Municipality:**

-No Town or Municipality Specified-

**Fire District(s):**

Lewes Fire District

**Tax Ditch(es):**

-No Ditch Records-

**Sewer/Water District:**

-No Sewer Records-

**Watershed:**

BROADKILL-SMYRNA

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## Sussex County, Delaware - Zoning and Sales Information

### PROPERTY DETAILS

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- [Sales Info](#)
- [Map of Property](#)

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## General Information

**District-Map-Parcel:**

3-35 11.00 55.00

**Owner(s) Names:**

COVERED BRIDGE , TRAILS LLC

**Property Legal Description:**

NEAR PENN CENTRAL RR

7.55 ACRES

**Billing Address:**

20184 PHILLIPS STREET

REHOBOTH BEACH , DE 19971

**Land Use:**

Residential, Vacant Lot,No Improvement

**Zoning:**

Medium Residential

**Town/Municipality:**

-No Town or Municipality Specified-

**Fire District(s):**

Lewes Fire District

**Tax Ditch(es):**

-No Ditch Records-

**Sewer/Water District:**

-No Sewer Records-

**Watershed:**

BROADKILL-SMYRNA

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## Map Search

### Sussex County, Delaware - Zoning and Sales Information

#### PROPERTY DETAILS

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- [Sales Info](#)
- [Map of Property](#)

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## General Information

**District-Map-Parcel:**

3-35 11.00 56.00

**Owner(s) Names:**

COVERED BRIDGE , TRAILS LLC

**Property Legal Description:**

NEAR PENN CENTRAL RR

**Billing Address:**20184 PHILLIPS STREET  
REHOBOTH BEACH , DE 19971**Land Use:**

Farm

**Zoning:**

Medium Residential

**Town/Municipality:**

-No Town or Municipality Specified-

**Fire District(s):**

Lewes Fire District

**Tax Ditch(es):**

-No Ditch Records-

**Sewer/Water District:**

-No Sewer Records-

**Watershed:**

BROADKILL-SMYRNA

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## Map Search

## Sussex County, Delaware - Zoning and Sales Information

### PROPERTY DETAILS

- [General Information](#)
- [Appraisal & Assessment Info](#)
- [Sales Info](#)
- [Map of Property](#)

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## General Information

**District-Map-Parcel:**

3-35 11.00 59.00

**Owner(s) Names:**

COVERED BRIDGE , TRAILS LLC

**Property Legal Description:**

19.55 AC.S

OFF RT 14 &amp;

**Billing Address:**

20184 PHILLIPS STREET

REHOBOTH BEACH , DE 19971

**Land Use:**

Farm

**Zoning:**

Medium Residential

**Town/Municipality:**

-No Town or Municipality Specified-

**Fire District(s):**

Lewes Fire District

**Tax Ditch(es):**

-No Ditch Records-

**Sewer/Water District:**

-No Sewer Records-

**Watershed:**

BROADKILL-SMYRNA

# PETITION FOR INCLUSION

Tidewater (TUI) – Water Petition

1-877-720-9272

[www.tuiwater.com](http://www.tuiwater.com)

## PETITION FOR INCLUSION IN TIDEWATER UTILITIES, INC. WATER SERVICE TERRITORY

In accordance with 26 Delaware Code 203-C., I/we, the undersigned, as the recorded property owners according to current tax records for the following property/properties, request to be included in the water service territory of Tidewater Utilities, Inc. I/We understand that all of the property owners must sign this petition in order for Tidewater Utilities, Inc. to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide water service to the following property/properties

Tax Parcel Number(s): 335-11.00-60.00

Property Owner(s): Christine Davis

Mailing Address: 141 Tulip Drive  
Lewes, DE 19958

Property Address: Dutch Acres, Tulip Drive

Owner's Signature(s): ☒ Christine Davis Date: 29 Mar 17

Print Name: ☒ Christine Davis Phone #: 302-236-1046

Owner's Signature(s): ☒ \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: ☒ \_\_\_\_\_ Phone #: \_\_\_\_\_

Email Address: \_\_\_\_\_

I UNDERSTAND THAT BY SIGNING THIS PETITION MY PROPERTY MAY HAVE TO REMAIN IN TIDEWATER UTILITIES, INC. SERVICE TERRITORY PERMANENTLY. I ALSO UNDERSTAND THAT IT MAY AFFECT MY ABILITY TO OBTAIN A PERMIT FOR A NEW WELL. IF YOU HAVE ANY QUESTIONS, COMMENTS, OR CONCERNS, PLEASE CONTACT THE PUBLIC SERVICE COMMISSION AT (302) 736-7500 (in Delaware, call 800-282-8574).

Covered Bridge Trails

P-17-0006



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## Map Search

## Sussex County, Delaware - Zoning and Sales Information

### PROPERTY DETAILS

- [General Information](#)
- [Appraisal & Assessment Info](#)
- [Sales Info](#)
- [Map of Property](#)

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## General Information

**District-Map-Parcel:**

3-35 11.00 60.00

**Owner(s) Names:**

DAVIS , CHRISTINE

**Property Legal Description:**

DUTCH ACRES

TULIP DR

**Billing Address:**

141 TULIP DR

LEWES , DE 19958

**Land Use:**

Residential, Single dwelling &amp; lot

**Zoning:**

Medium Residential

**Town/Municipality:**

-No Town or Municipality Specified-

**Fire District(s):**

Lewes Fire District

**Tax Ditch(es):**

-No Ditch Records-

**Sewer/Water District:**

-No Sewer Records-

**Watershed:**

BROADKILL-SMYRNA

# **EXHIBIT**

## **B**



A Middlesex Water Company Affiliate

May 10, 2017

Certified Mail # 7004 1160 0005 9457 8179

Christine Davis  
141 Tulip Drive  
Lewes, DE 19958

Dear Christine Davis

Tidewater Utilities Inc. (Tidewater) would like to thank you for the receipt of your signed petition requesting Tidewater to provide water service to your property, 335-11.00-60.00 located in Sussex County.

Tidewater will be submitting an application for a Certificate of Public Convenience and Necessity (CPCN) with the Public Service Commission (PSC) on or about June 8, 2017. Included with this letter is information that we are required to provide to all landowners within a proposed service territory prior to filing the application for a CPCN.

When the CPCN is granted, Tidewater will have the permission to provide public water service to your parcel. It is important for you, as the landowner, to know that when water service is made available to your parcel you are not obligated to connect to our water system as long as your current water supply is functioning properly. If you agree to have your property be part of this proposed service area, no action on your part is required at this time. If you do not agree to have your property be part of this proposed service area you will need to complete the enclosed opt out/object form and send it back to the address on top of the form.

If you have any questions in regards to this matter please feel free to contact me at 1-800-720-9272 ext. 1014 or 302-747-1308.

Sincerely,

A handwritten signature in dark ink, appearing to read "Joe C. Cuccinello", is written over a light blue horizontal line.

Joseph C. Cuccinello  
CPCN Coordinator

## PROPERTY OWNER OPT-OUT/OBJECT FORM

Delaware Public Service Commission  
861 Silver Lake Boulevard  
Cannon Building, Suite 100  
Dover, Delaware 19904

Dear Delaware Public Service Commission:

I/We are the recorded property owner(s), according to current tax records, for the following property/properties:

Tax Map Parcel Identification Number(s): 335-11.00-60.00

We received a notice from *Tidewater Utilities, Inc.* that it plans to file an application with the Delaware Public Service Commission for a Certificate of Public Convenience and Necessity (Certificate) to provide water service to a proposed service territory described by Tidewater Utilities, Inc. as Covered Bridge Trails (hereafter, "Proposed Service Territory").

\_\_\_\_\_ As permitted by applicable law, I hereby opt-out of *Tidewater Utilities, Inc.*'s proposed service territory. I understand that by opting out of the Proposed Service Territory, I may be charged additional fees if I later change my mind and choose to be included in the Proposed Service Territory and receive water service from *Tidewater Utilities, Inc.*

\_\_\_\_\_ I hereby object to the *Tidewater Utilities, Inc.*'s application for the Certificate of Public Convenience and Necessity. I understand that by objecting to the *Tidewater Utilities, Inc.*'s application I am not merely objecting to being included in the Proposed Service Territory (in which case, I may merely opt out as permitted by electing to opt out above), but rather am objecting to the Commission authorizing the *Tidewater Utilities, Inc.* to provide water service to *any territory* within the Proposed Service Territory, including, but not limited to, my own property. The basis of my objection is as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Property Owner(s): *Property Owner Name* \_\_\_\_\_

*Property Owner Address* \_\_\_\_\_

\_\_\_\_\_

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **YOU SHOULD READ THIS NOTICE CAREFULLY.**

Public records list you as a landowner of the property with the following tax map parcel identification number(s): 335-11.00-60.00. Within thirty-five (35) days, Tidewater Utilities, Inc. (TUI) plans to file an application with the Delaware Public Service Commission requesting a Certificate of Public Convenience and Necessity (Certificate) to provide water service to a new territory described as Covered Bridge Trails.

TUI HAS INCLUDED YOUR PROPERTY IN THE TERRITORY IT INTENDS TO SERVE. TUI IS UNABLE TO ESTIMATE WHEN IT WILL PROVIDE WATER SERVICE TO YOUR PROPERTY OR COVERED BRIDGE TRAILS.

IF YOU DO NOT TAKE ANY ACTION NOW, YOU MAY LOSE YOUR CHOICE OF WHO CAN PROVIDE WATER SERVICE TO YOUR PROPERTY AND WHETHER YOU CAN OBTAIN A WELL PERMIT.

- 4) You may choose to be included in the utility's proposed service territory. If you signed a petition for water service asking to be included in the utility's proposed service territory, [or, if you did not sign a petition for water service but want to be included, you do not have to take any action.
- 5) You have the right to "opt-out" of the utility's proposed service territory. If you "opt-out", your property will not be included in the utility's service territory. You can do this even though others in Covered Bridge Trails might desire water service from the utility. You should understand that being included in a utility's service territory does not mean that public water service will be immediately available to your property or that, when available; you will be required to hook-up to the public water system. However, if your property is included in the utility's water service territory, and later the water from the well providing your drinking water cannot be used, the Department of Natural Resources and Environmental Control might deny you a permit for a new well if public water is available to your property. On the other hand, if you elect to "opt-out" of the utility's service territory, but later change your mind and decide to connect to the utility's public water system, you could be charged additional fees.
- 6) You may object to the Public Service Commission granting a Certificate for Covered Bridge Trails. For example, you may object that the water utility does not have the legal right to serve the territory. You should review the law about what a utility must provide in order to obtain a Certificate (contact the Public Service Commission to obtain a copy of the law). If you file such an objection, you will need to tell the Public Service Commission why the utility should not receive the Certificate. Please note that an objection will not remove your property from a proposed service territory. To remove your property from the service territory, you must request to "opt-out."

Attached to this letter is a form which allows you (and other owners of the property) to exercise your options. You have seventy-five (75) days from your receipt of this notice to file your objection with the Commission. Although you may exercise your right to "opt-out" of the utility's service territory at any time before the Certificate is granted, if you choose to opt-out, it is requested that you complete the form and return it to the Public Service Commission at the address listed below within seventy-five (75) days from the date you receive this notice:

Delaware Public Service Commission  
861 Silver Lake Boulevard  
Cannon Building, Suite 100  
Dover, Delaware 19904

If you want to “opt-out” or object, you must send the completed form to the Public Service Commission, even if you already informed the utility of your intent to “opt-out” or object.

If you have any questions, comments or concerns, please contact the Public Service Commission at (302) 736-7500 (in Delaware, call 800-282-8574).



1100 South Little Creek Road  
Dover, DE 19901  
[www.tidewater.com](http://www.tidewater.com)

**CERTIFIED MAIL™**



7004 1160 0005 9457 8179

Christine Davis  
141 Tulip Drive  
Lewes, DE 19958

ENCLOSED IS IMPORTANT INFORMATION FROM THE PUBLIC SERVICE COMMISSION THAT AFFECTS  
YOUR RIGHTS REGARDING WATER SERVICE



**Hasler**  
05/09/2017  
**US POSTAGE**

**\$06.56<sup>0</sup>**

ZIP 19901  
011D11637196

FIRST-CLASS MAIL



1100 South Little Creek Road  
Dover, DE 19901  
www.tidewater.com

A Middlesex Water Company Affiliate

5/12/17  
gww

Christine Davis  
141 Tulip Drive  
Lewes, DE 19958

ENCLOSED IS IMPORTANT INFORMATION FRC  
YOUR RIGHTS REGARDING WATER SERVICE

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BC: 19901472700

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2205/14/17

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

#2627-02236-10-45

Hasler  
05/09/2017  
US POSTAGE

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7004 1160 0005 9457 8179

CERTIFIED MAIL™



U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)  
For delivery information visit our website at www.usps.com®

OFFICIAL USE	
Postage \$	46.00
Certified Fee	33.50
Return Receipt Fee (Endorsement Required)	27.50
Restricted Delivery Fee (Endorsement Required)	0.00
Total Postage & Fees	\$ 105.00

Sent to Christine Davis  
Street, Apt. No. or PO Box No. 141 Tulip Drive  
City, State, ZIP+4 Lewes, DE 19958

Postmark MAY 10 2017

PS Form 3800, June 2002

Certificate of Mailing

UNITED STATES

POSTAL SERVICE®

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

From:

Tidewater Utilities, Inc.  
1100 South Little Creek Road  
Dover, DE 19901

US POSTAGE  
05/23/2017

BOYER DE 1900

Christine Davis  
141 Tulip Drive  
Lewes, DE 19958

PS Form 3817, April 2007 PSN 7530-02-000-9065

USPS

\$01.35  
ZIP 19901  
011D11637196



## USPS Tracking® Results

FAQs > (<http://faq.usps.com/?articleId=220900>)

Track Another Package +

Remove X

Tracking Number: 70041160000594578179

Delivered

## Product &amp; Tracking Information

See Available Actions

Postal Product:

Features:  
Certified Mail™

DATE & TIME	STATUS OF ITEM	LOCATION
May 18, 2017, 11:56 am	Delivered, Left with Individual ▲	DOVER, DE 19901 <i>Tidewater</i>
Your item was delivered to an individual at the address at 11:56 am on May 18, 2017 in DOVER, DE 19901.		
May 17, 2017, 3:31 pm	Departed USPS Facility	WILMINGTON, DE 19850
May 17, 2017, 9:54 am	Arrived at USPS Facility	WILMINGTON, DE 19850
May 16, 2017, 10:18 am	Departed USPS Facility	LANCASTER, PA 17604
May 15, 2017, 11:09 am	In Transit to Destination	
May 14, 2017, 11:09 am	Arrived at USPS Facility	LANCASTER, PA 17604
May 12, 2017, 4:39 pm	Notice Left (No Authorized Recipient Available)	LEWES, DE 19958
May 12, 2017, 9:29 am	Out for Delivery	REHOBOTH BEACH, DE 19971
May 12, 2017, 9:19 am	Sorting Complete	REHOBOTH BEACH, DE 19971
May 12, 2017, 7:39 am	Arrived at Unit	REHOBOTH BEACH, DE 19971
May 11, 2017, 1:10 pm	Departed USPS Facility	WILMINGTON, DE 19850
May 10, 2017, 10:38 pm	Arrived at USPS Facility	WILMINGTON, DE 19850

See More ▼

## Available Actions

# **TIDEWATER**

## **UTILITIES, INC.**

A Middlesex Water Company Affiliate

May 10, 2017

Certified Mail # 7004 1160 0005 9457 8162

Covered Bridge Trails, LLC  
20184 Phillips Street  
Rehoboth Beach, DE 19971

Dear Covered Bridge Trails, LLC

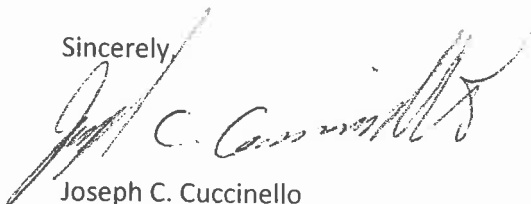
Tidewater Utilities Inc. (Tidewater) would like to thank you for the receipt of your signed petition requesting Tidewater to provide water service to your property, 335-11.00-55.00, 335-11.00-56.00, 335-11.00-59.00, 335-11.00-59.01 located in Sussex County.

Tidewater will be submitting an application for a Certificate of Public Convenience and Necessity (CPCN) with the Public Service Commission (PSC) on or about June 8, 2017. Included with this letter is information that we are required to provide to all landowners within a proposed service territory prior to filing the application for a CPCN.

When the CPCN is granted, Tidewater will have the permission to provide public water service to your parcel. It is important for you, as the landowner, to know that when water service is made available to your parcel you are not obligated to connect to our water system as long as your current water supply is functioning properly. If you agree to have your property be part of this proposed service area, no action on your part is required at this time. If you do not agree to have your property be part of this proposed service area you will need to complete the enclosed opt out/object form and send it back to the address on top of the form.

If you have any questions in regards to this matter please feel free to contact me at 1-800-720-9272 ext. 1014 or 302-747-1308.

Sincerely,



Joseph C. Cuccinello  
CPCN Coordinator

*"Southern Delaware's Premier Water Company Since 1964"*

**Tidewater Utilities, Inc.** 1100 South Little Creek Road, Dover, DE 19901 [www.tuiwater.com](http://www.tuiwater.com)  
(800) 523-7224 (302) 734-7500 Tel. (302) 734-9297 Fax

## PROPERTY OWNER OPT-OUT/OBJECT FORM

Delaware Public Service Commission  
861 Silver Lake Boulevard  
Cannon Building, Suite 100  
Dover, Delaware 19904

Dear Delaware Public Service Commission:

I/We are the recorded property owner(s), according to current tax records, for the following property/properties:

Tax Map Parcel Identification Number(s): 335-11.00-55.00, 335-11.00-56.00, 335-11.00-59.00 and 335-11.00-59.01

We received a notice from *Tidewater Utilities, Inc.* that it plans to file an application with the Delaware Public Service Commission for a Certificate of Public Convenience and Necessity (Certificate) to provide water service to a proposed service territory described by Tidewater Utilities, Inc. as Covered Bridge Trails (hereafter, "Proposed Service Territory").

\_\_\_\_\_ As permitted by applicable law, I hereby opt-out of *Tidewater Utilities, Inc.*'s proposed service territory. I understand that by opting out of the Proposed Service Territory, I may be charged additional fees if I later change my mind and choose to be included in the Proposed Service Territory and receive water service from *Tidewater Utilities, Inc.*

\_\_\_\_\_ I hereby object to the *Tidewater Utilities, Inc.*'s application for the Certificate of Public Convenience and Necessity. I understand that by objecting to the *Tidewater Utilities, Inc.*'s application I am not merely objecting to being included in the Proposed Service Territory (in which case, I may merely opt out as permitted by electing to opt out above), but rather am objecting to the Commission authorizing the *Tidewater Utilities, Inc.* to provide water service to *any territory* within the Proposed Service Territory, including, but not limited to, my own property. The basis of my objection is as follows:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Property Owner(s): *Property Owner Name* \_\_\_\_\_

*Property Owner Address* \_\_\_\_\_

\_\_\_\_\_

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **YOU SHOULD READ THIS NOTICE CAREFULLY.**

Public records list you as a landowner of the property with the following tax map parcel identification number(s): 335-11.00-55.00, 335-11.00-56.00, 335-11.00-59.00 and 335-11.00-59.01. Within thirty-five (35) days, Tidewater Utilities, Inc. (TUI) plans to file an application with the Delaware Public Service Commission requesting a Certificate of Public Convenience and Necessity (Certificate) to provide water service to a new territory described as Covered Bridge Trails.

TUI HAS INCLUDED YOUR PROPERTY IN THE TERRITORY IT INTENDS TO SERVE. TUI IS UNABLE TO ESTIMATE WHEN IT WILL PROVIDE WATER SERVICE TO YOUR PROPERTY OR COVERED BRIDGE TRAILS.

IF YOU DO NOT TAKE ANY ACTION NOW, YOU MAY LOSE YOUR CHOICE OF WHO CAN PROVIDE WATER SERVICE TO YOUR PROPERTY AND WHETHER YOU CAN OBTAIN A WELL PERMIT.

- 1) You may choose to be included in the utility's proposed service territory. If you signed a petition for water service asking to be included in the utility's proposed service territory, [or, if you did not sign a petition for water service but want to be included, you do not have to take any action.
- 2) You have the right to "opt-out" of the utility's proposed service territory. If you "opt-out", your property will not be included in the utility's service territory. You can do this even though others in Covered Bridge Trails might desire water service from the utility. You should understand that being included in a utility's service territory does not mean that public water service will be immediately available to your property or that, when available; you will be required to hook-up to the public water system. However, if your property is included in the utility's water service territory, and later the water from the well providing your drinking water cannot be used, the Department of Natural Resources and Environmental Control might deny you a permit for a new well if public water is available to your property. On the other hand, if you elect to "opt-out" of the utility's service territory, but later change your mind and decide to connect to the utility's public water system, you could be charged additional fees.
- 3) You may object to the Public Service Commission granting a Certificate for Covered Bridge Trails. For example, you may object that the water utility does not have the legal right to serve the territory. You should review the law about what a utility must provide in order to obtain a Certificate (contact the Public Service Commission to obtain a copy of the law). If you file such an objection, you will need to tell the Public Service Commission why the utility should not receive the Certificate. Please note that an objection will not remove your property from a proposed service territory. To remove your property from the service territory, you must request to "opt-out."

Attached to this letter is a form which allows you (and other owners of the property) to exercise your options. You have seventy-five (75) days from your receipt of this notice to file your objection with the Commission. Although you may exercise your right to "opt-out" of the utility's service territory at any time before the Certificate is granted, if you choose to opt-out, it is requested that you complete the form and return it to the Public Service Commission at the address listed below within seventy-five (75) days from the date you receive this notice:

Delaware Public Service Commission  
861 Silver Lake Boulevard  
Cannon Building, Suite 100  
Dover, Delaware 19904

If you want to “opt-out” or object, you must send the completed form to the Public Service Commission, even if you already informed the utility of your intent to “opt-out” or object.

If you have any questions, comments or concerns, please contact the Public Service Commission at (302) 736-7500 (in Delaware, call 800-282-8574).



1100 South Little Creek Road  
Dover, DE 19901  
[www.tdwater.com](http://www.tdwater.com)



FIRST-CLASS MAIL

Hasler

05/09/2017

US POSTAGE

\$06.56<sup>0</sup>



ZIP 19901  
011D11637196



7004 1160 0005 9457 8162

Covered Bridge Trails, LLC  
20184 Phillips Street  
Rehoboth Beach, DE 19971

ENCLOSED IS IMPORTANT INFORMATION FROM THE PUBLIC SERVICE COMMISSION THAT AFFECTS  
YOUR RIGHTS REGARDING WATER SERVICE

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Covered Bridge Trails LLC  
20184 Phillips St.  
Rehoboth Beach, DE 19971  
P. Schell

## 2. Article Number

(Transfer from service label)

7004 1160 0005 9457 8162

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

x K. Cigante

- ☐ Agent  
☐ Addressee

## B. Received by (Printed Name)

## C. Date of Delivery

- D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

## 3. Service Type

- ☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

## 4. Restricted Delivery? (Extra Fee)

- ☐ Yes

U.S. Postal Service™

## CERTIFIED MAIL™ RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

OFFICIAL USE

Postage	\$ 46
Certified Fee	3.35
Return Receipt Fee (Endorsement Required)	2.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.56

CREEK, DE  
19961  
Postmark  
Here  
MAY 10 2017

Sent To

Covered Bridge Trails, LLC  
Street, Apt. No.,  
or PO Box No. 20184 Phillips St.  
City, State, ZIP+4 Rehoboth Beach DE 19971

PS Form 3800, June 2002

See Reverse for Instructions

# EXHIBIT

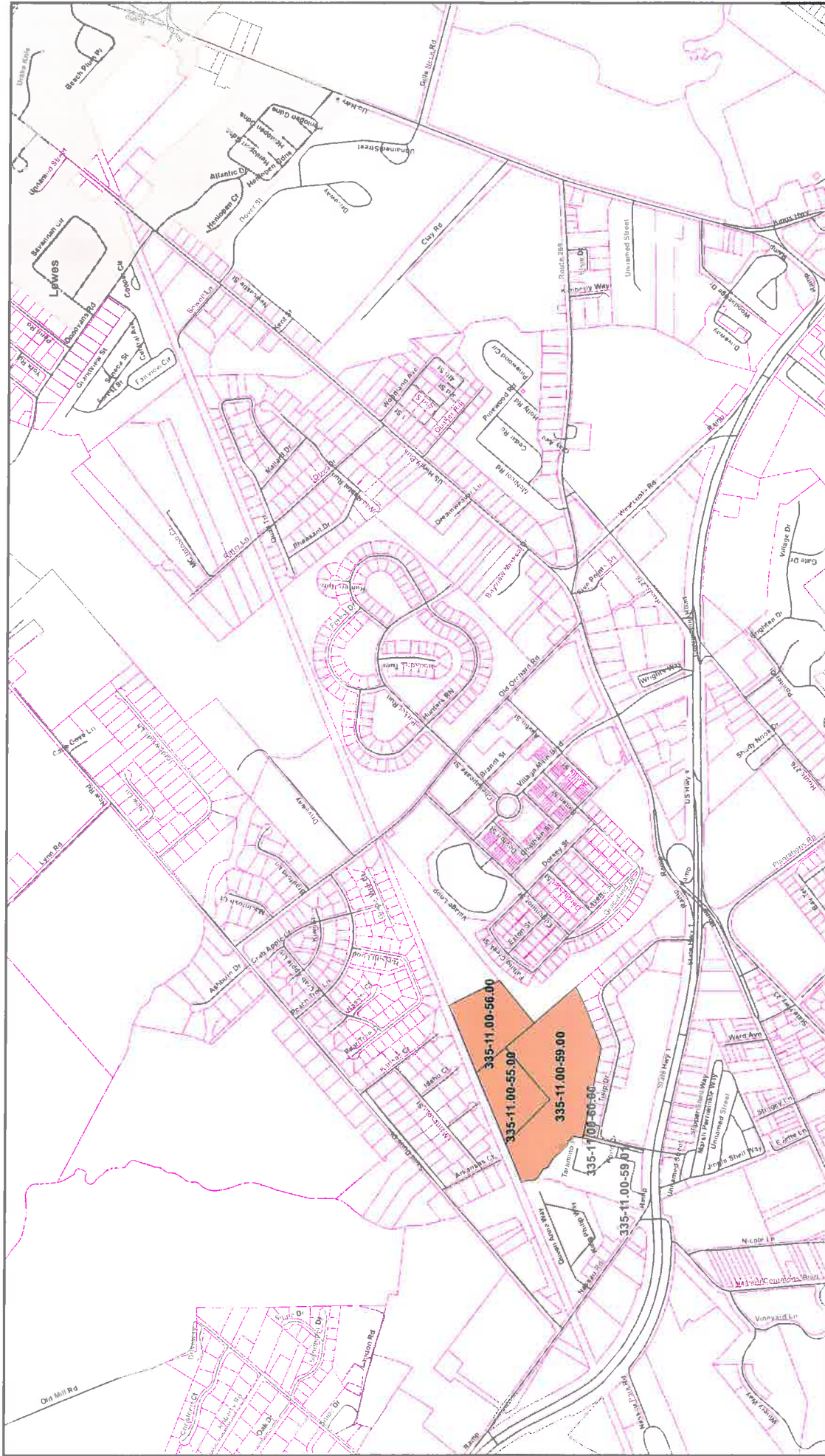
## C



**Exhibit C**

<b><u>Proposed Service Area</u></b>	<b><u>Tax Map Parcel Numbers</u></b>	<b><u>Acres</u></b>	<b><u>Owners</u></b>
Service Area 1	335-11.00-55.00	7.55	Covered Bridge Trails, LLC
	335-11.00-56.00	8.42	20184 Phillips Street
	335-11.00-59.00	19.55	Rehoboth Beach, DE 19971
	335-11.00-59.01	0.40	
	335-11.00-60.00	0.28	Christine Davis 141 Tulip Drive Lewes, DE 19958

- Parcels 335-11.00-55.00, 335-11.00-56.00, 335-11.00-59.00, 335-11.00-59.01 and 335-11.00-60.00 are individual parcels located on north side of Coastal Highway in Sussex County, Delaware.



# **CPCN APPLICATION MAP Water Covered Bridge Trails Sussex County, DE**

**TIDEWATER**  
UTILITIES, INC.  
A Middlesex Water Company Affiliate

The Landbase information shown herein has been compiled from available data and is not a warranty of accuracy. The actual boundaries of features can only be determined by an appropriate survey.

PRINT DATE: 03/17/2017  
DATE OF COMPIATION: 03/17/2017  
SHEET LAYOUT BASED ON THE DELAWARE STATE PLANE COORDINATE SYSTEM

**A-17-001**  
1 inch = 833 feet  
**Overview**

